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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,605	06/16/2001	Shih-I Yu	1018AAB	1326

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Shih-I Yu
P.O. Box 10-69
Chong Ho
Taipe, 235
TAIWAN

EXAMINER

GART, MATTHEW S

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 09/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,605

Applicant(s)

YU, SHIH-I

Examiner

Matthew s Gart

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Videohometours.com.

Referring to claim 1. Videohometours.com discloses a method for marketing real estate, said method comprising:

- Classifying real estate for sale (Page 5, "Search For A Home"),
- Photoing the real estate for sale (Page 3, "Walk-thru tour capturing all major highlights from the interior and exterior of your home"), and
- Establishing a database with the photos of the real estate for sale for searching purposes (Page 3, "3 Month listing on the VideoHomeTours.com Real Estate Showcase web site").

Referring to claim 2. Videohometours.com further discloses a method comprising photoing nearby streets around the real estate for sale (Page 3, "Walk-thru tour highlighting all major rooms, exterior and interior and additional shots of the home i.e. garage, closets, spare rooms, etc. and neighborhood" and Page 7).

Referring to claim 3. Videohometours.com further discloses a method comprising video recording the real estate for sale (Page 3 through Page 4).

Art Unit: 3625

Referring to claim 4. Videohometours.com further discloses a method comprising video recording nearby streets around the real estate for sale (Page 3, "Walk-thru tour highlighting all major rooms, exterior and interior and additional shots of the home i.e. garage, closets, spare rooms, etc. and neighborhood").

Referring to claims 7-10. Claims 7-10 are rejected under the same rationale as set forth above in claims 1-4.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Videohometours.com in view of Whatley (U.S. Patent Application Publication 2002/0052755).

Referring to claim 5. Videohometours.com disclose a method according to claim 1 as indicated supra. Videohometours.com further discloses a method comprising providing information of the real estate for sale (Page 6 and Page 8). Videohometours.com does not expressly disclose a method comprising providing quotations of the real estate for sale. Whatley discloses a method comprising providing quotations of the real estate for sale (Whatley: paragraph 0005).

Art Unit: 3625

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Videohometours.com to have included the teachings of Whatley as discussed above because Real estate brokers and agents are increasingly seeking to enhance basic web page listings in order to differentiate their listings from the competition. Web Page enhancements attract more potential buyers to each listing, resulting in faster sales of each property (Whatley: paragraph 0005).

Referring to claim 6. Videohometours.com disclose a method according to claim 1 as indicated supra. Videohometours.com does not expressly disclose a method comprising mapping an area and nearby streets around the real estate for sale. Whatley discloses a method comprising mapping an area and nearby streets around the real estate for sale (Whatley: paragraph 0028).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have modified the system of Videohometours.com to have included the teachings of Whatley as discussed above because Real estate brokers and agents are increasingly seeking to enhance basic web page listings in order to differentiate their listings from the competition. Web Page enhancements attract more potential buyers to each listing, resulting in faster sales of each property (Whatley: paragraph 0005).

Referring to claims 11-12. Claims 11-12 are rejected under the same rationale as set forth above in claims 5-6.

Art Unit: 3625

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew s Gart whose telephone number is 703-305-5355. The examiner can normally be reached on 8:30AM to 5:00PM m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MSG
Patent Examiner
September 9, 2004